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ROBERT D. SHEDD  
THOMSON LICENSING, LLC  
PO BOX 5312  
PRINCETON NJ 08543-5312

In re Application of: GRIMES	:	DECISION
U.S. Application No.: 10/568,003	:	
PCT Application No.: PCT/US2004/001573	:	ON
Int. Filing Date: 20 January 2004	:	
Priority Date: 13 August 2003	:	PETITION
Atty Docket No.: PU030240	:	
For: Pre-Processing of Descrambling Data to	:	UNDER
Reduce Channel-Change Time	:	
	:	37 CFR 1.137(b)

### **BACKGROUND**

On 20 January 2004, applicant filed international application PCT/US2004/001573, which designated the U.S. and claimed a priority date of 13 August 2003. The thirty-month period for paying the basic national fee in the United States expired at midnight on 13 February 2006. On 10 February 2006, applicant filed national stage papers in the United States Designated/Elected Office (DO/EO/US). The submission did not include an executed oath or declaration in compliance with 37 CFR 1.497(a) and (b). On 31 August 2006, PCT/DO/EO/905 was mailed, requiring an executed oath or declaration in compliance with 37 CFR 1.497 (a) and (b). On 01 November 2006, the application became abandoned as to the United States of America for failure to respond to the PCT/DO/EO/905.

### **DISCUSSION**

A petition under 37 CFR 1.137(b) requesting that the application be revived on the grounds of unintentional abandonment must be accompanied by: (1) the required reply, (2) the petition fee under 37 CFR 1.17(m), (3) a statement that the "entire delay in filing the required reply from the due date for the reply until the filing of a grantable petition pursuant to this paragraph was unintentional" and (4) any terminal disclaimer if the application was filed before 08 June 1995.

Regarding item (1), the required reply in the form of an executed declaration in compliance with 37 CFR 1.497(a) and (b) has been received.

Regarding item (2), the required petition fee has been received.

Regarding item (3), the petition includes the required statement.

Regarding item (4), because the international application was filed after 08 June 1995, no terminal disclaimer is required.

### **CONCLUSION**

For the reasons detailed above, the petition under 37 CFR 1.137 (b) is **GRANTED**.

This application is being returned to the United States Designated/Elected Office (DO/EO/US) for treatment in accordance with this decision.

*Bryan Lin*

Bryan Lin  
PCT Legal Examiner  
PCT Legal Office

/Katherine Moran/  
PCT Legal, Detailee  
PCT Legal Office

Telephone: 571-272-6095